

GOVERNMENT OF ANDHRA PRADESH

**A B S T R A C T**

Public Services – Municipal Administration & Urban Development – Allegation of corruption against Late Sri M. Venkateswara Rao, Municipal Commissioner, Janagaon Municipality, Warangal District – Trapped on 29.9.1993 – Acquitted on 31.1.2006 – Criminal Appeal filed – Implemented – Regularization of suspension period from 12.11.1993 to 4.12.1997 as on duty under FR 54 (B) (3) - Orders – Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.IV) DEPARTMENT.

G.O.Rt.No. 1704

Dated:25.11.2013

Read the following:

- 1.G.O.Rt.No. 1522, MA &UD Dept., Dt. 12.11.1993.
- 2.G.O.Rt.No. 368, MA & UD (Vig.IV) Dept., dt. 11-7-1994.
- 3.From the Director General, Anti Corruption Bureau letter Rc.No.105/RC.T/WWL/93-S5,Dated: 15.2.2006 along with Judgement in CC NO.21/1994,Dated: 31.1.2006 of ACB & SPE Cases, City Civil Courts, Hyderabad.
4. G.O.Rt.No. 999, MA & UD Dated 21.12.1997.
5. Govt. Memo. No.2910/Vig.IV.1/2001, dt. 10.5.2006.
- 6 From the APAT Orders in OA No.685/2010 dt. 6.4.2010.
7. Representation of Sri M. Venkateswara Rao former Municipal Commissioner, Jangoan Municipality, now Valuation Officer, GHMC (Retd.) dt. 15.2.2010.
8. G.O.Rt.No. 629 MA & UD (Vig.IV) Dept., Dt. 2.6.2010.
- 9 .From the CDMA, Hyderabad letter No. 18072/2006-E2, Dated: 26.6.2013.
10. Representation from Smt. P.V. Vajra Kumari, W/o Late Sri M. Venkatehwara Rao, dt. 4.4.2013.
11. From the Andhra Pradesh Administrative Tribunal order dated: 1.10.2013 in CA No.885/2013 in OA No. 2374/2013.

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**ORDER:**

Whereas, in the reference 1<sup>st</sup> read above, Sri M. Venkateshwara Rao, the then Municipal Commissioner, Jangoan Municipality was placed under suspension w.e.f. 12.11.1993 in the ACB Trap case on the allegation of demand and acceptance of the bribe amount of Rs.1,000/- as illegal gratification from the complainant for showing official favour in forwarding layout plan of Gumastha Sangam Housing Board Society, Jangaon. In the reference 2<sup>nd</sup> read above, after examining the final report of ACB in consultation with appropriate authority, sanction was accorded for prosecution of the A.O. in a Court of Law.

2. Whereas in the reference 3<sup>rd</sup> read above, the Director General, Anti Corruption Bureau has informed that the Principal Special Judge for SPE & ACB Cases, City Civil Court, Hyderabad has pronounced the Judgement and acquitted the A.O. from the Criminal Charge.

3. Whereas, in the reference 4<sup>th</sup> read above, the Accused Officer was reinstated into service without prejudice to the case pending against him in the Court of law and posted him into a non-focal post.

4. Whereas in the reference 5<sup>th</sup> read above, Government have permitted the Director General, Anti Corruption Bureau, Hyderabad to prefer Criminal Appeal before Hon'ble High Court against the acquittal orders issued against the A.O., the ACB has filed Criminal Appeal against the Hon'ble High

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Court of A.P. The Hon'ble High Court has dismissed the Crl. Appeal No.1127 of 2006 as abated vide orders of the Hon'ble High court of A.P. dt.11.7.2008.

5. Whereas, in the reference 6<sup>th</sup> read above, Sri M.Venkateswara Rao, formerly Municipal Commissioner, Jangoan (Retired) has filed an O.A. No. 685/2010 before the Hon'ble APAT for release of full Pensionary benefits due to him from the Commissioner & Director of Municipal Administration . The Hon'ble APAT in its order, dated. 6-4-2010 while allowing the O.A. has observed that pendency of the Criminal Appeal is not a bar to pay the pension and directed the respondents to pay full pension and retirement benefits to the applicant as the applicant was acquitted in Trial Court.

6. Whereas in the reference 7<sup>th</sup> read above, Sri M.Venkateswara Rao, former Municipal Commissioner (Retd.) has requested the Government to release the pensionary benefits due to him keeping in view the Hon'ble APAT Orders, dated: 6-4-2010.

7. Whereas in the reference 8<sup>th</sup> read above, Government have accorded permission to the C.D.M.A., to release the full Pension and all the retirement Pensionary benefits to Sri M.Venkateswara Rao ( Retd.) subject to out come of Criminal Appeal pending in the Hon'ble High Court of Andhra Pradesh, Hyderabad.

8. Whereas in the reference 9<sup>th</sup> read above, the Commissioner & Director of Municipal Administration, Hyderabad has requested to issue necessary orders for regularization of the suspension period of Late M. Venkateswara Rao, Municipal Commissioner (Retd.) for issue of retirement benefits.

9. Whereas in the reference 10<sup>th</sup> read above, Smt. Vajra Kumari, W/o Late Sri M. Venkateswara Rao. In her representation dated: 4.4.2013 has stated that her husband expired on 25.5.2011 and the Hon'ble High court of A.P. was pleased to dismiss the Crl.Appeal No.1127/2006 as abated. The Judicial Proceedings are also ended in acquittal on merits and her husband was reinstated into service and last worked as Municipal Commissioner (Grade-III) in Janagon, Warangal District and subsequently retired on 28.2.1999 on attaining the age of superannuation and requested to regulate the suspension period from 12.11.1993 to 4.12.1997.

10. Whereas in the reference 11<sup>th</sup> read above, Smt. P. Vajra Kumari, W/o Late Sri M. Venkateswara Rao, MC (Retd.) has filed CA No.903/2013 in OA No.685/2013 before the Hon'ble APAT for non implementation of the APAT orders passed in OA No.685/2010 (final orders) dt. 6.4.2010.

11. Government after careful examination of the matter keeping in view of provisions contained in FR 54 (B) (3) have decided to regularize the suspension period of Sri Late M. Venkateswara Rao, MC (Retd.) from 12.11.1993 to 4.12.1997 as on duty under FR 54 (B) (3) as he was acquitted by Trial Court in its Judgment of dt.3-1.2006 in C.C.No.21/94 and Crl.Appeal No.1127/2006 filed by the ACB has been dismissed by Hon'ble High Court vide order dt.11-07-2008.

12. Accordingly, Government hereby regularize the suspension period of Late M. Venkateswara Rao, Municipal Commissioner (Retd.) Jangoan Municipality, Warangal District from 12.11.1993 to 4.12.1997 as on duty under rule FR 54 (B) (3).

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13. The Commissioner and Director of Municipal Administration, Hyderabad shall take necessary action in the matter, accordingly.

14. This order issued with the concurrence of Finance (Pension-I) Dept., vide their U.O.No. 17136/235/A1/Pen-I/13, Dated: 29.6.2013.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.S.K.JOSHI  
PRINCIPAL SECRETARY TO GOVERNMENT

To:

The Commissioner and Director of Municipal Administration, Hyderabad.

Smt. M. Vajra Kumari, W/o Late M. Venkateswara Rao,  
Municipal Commissioner (Retd.) Jangoan Municipality,  
Warangal District through the CDMA, Hyderabad.

**Copy to:**

The Secretary to Vigilance Commissioner, A.P.Vigilance Commission, Hyderabad.

The Director General, Anti Corruption Bureau, Hyderabad.

The Prl. Accountant General (A&E), A.P., Hyderabad.

The PS to Secretary to C.M.

//FORWARDED BY ORDER//

SECTION OFFICER